

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ZENIMAX MEDIA INC. and
ID SOFTWARE LLC,

Plaintiffs,

V.

OCULUS VR, LLC,
PALMER LUCKEY,
and FACEBOOK, INC.

Defendants.

CIVIL CASE NO. 3:14-cv-01849-P

**PLAINTIFFS' RESPONSE TO DEFENDANTS' NOTICE OF PRODUCTION OF
DISCOVERY SOUGHT BY PLAINTIFFS' PENDING MOTION TO COMPEL**

Defendants’ “Notice” (Dkt. No. 163) asserts that Defendants have very recently produced certain documents and source code sought by Plaintiffs’ Motion To Compel. (Dkt. No. 121.)

Defendants' Notice regarding that further production was filed nearly two months after Plaintiffs sought this Court's intervention to compel Defendants to honor their discovery obligations. Yet, even now, that Notice pointedly does not assert that Defendants' production is now complete — or even substantially complete — as to any category of documents or source code sought by Plaintiffs' Motion. Indeed, Defendants artfully worded the Notice to avoid making any such assertion. In point of fact, Defendants could not claim their production is complete or substantially complete: by way of example only, Defendants only recently identified to Plaintiffs two entire repositories of Defendants' source code that Defendants have not yet produced to Plaintiffs.

Accordingly, Plaintiffs continue to maintain that the relief sought by their Motion is necessary and should be granted.

Dated: June 1, 2015

Respectfully submitted,

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ZeniMax Media Inc. and id Software LLC

CERTIFICATE OF SERVICE

On June 1, 2015, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case files system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

Dated: June 1, 2015

s/ Phillip B. Philbin
Phillip B. Philbin